

## Message Text

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73

ORIGIN EB-11

INFO OCT-01 NEA-10 ISO-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 AID-20 CIEP-02 TRSE-00 STR-08 OMB-01 CEA-02

IGA-02 ABF-01 ARA-16 EA-11 AGR-20 SSO-00 NSCE-00

USIE-00 INRE-00 SAB-01 SAM-01 /166 R

DRAFTED BY EB/OF/FFD-ARIMAS/L/EB-MSPIEGEL/L/NEA-NELSON/LS

APPROVED BY P-M.R SISCO

SDA-RSHEGOGUE/FJACK/RBOR(DRAFT)

NEA/EGY-MSTERNER

NEA-AATHERTON

EB-MR. PLACKE

AID/FFP-WJENNETTE(DRFT)

ASIA/GC-MKITAY

AID/TFHA/GC-ARICHSTEIN(INFO)

ARA/CCA-MHOFFENBERG

S/S:WHLUERS

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O 262107Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY CAIRO IMMEDIATE

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E.O. 11652,NA/

TAGS: EAID, EG

SUBJ: PRESIDENTIAL WAIVER OF TITLE I PL 480 SALE TO EGYPT

1. ANY PL 480 TITLE I SALES AGREEMENT WITH EGYPT WOULD  
REQUIRE A PRESIDENTIAL FINDING THAT SUCH AGREEMENT IS IN  
US NATIONAL INTEREST. REQUIREMENT IS DICTATED BY SEC.

103(D)(3) WHICH BARS TITLE I TO COUNTRIES SELLING OR OTHER-  
WISE FURNISHING COMMODITIES TO, OR PERMITTING THEIR SHIPS

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OR AIRCRAFT TO CALL AT, CUBA OR NORTH VIETNAM AND BY SEC-

103(D)(4) WHICH CATEGORICALLY EXCLUDES EGYPT FROM TITLE I  
UNLESS PRESIDENTIAL WAIVER OBTAINED.

2. SECTION 103(D)(3) PERMITS WAIVER FOR CUBA TRADERS  
ONLY IF TRADE OR SHIPPING IS LIMITED TO MEDICAL SUPPLIES,  
NON-STRATEGIC RAW MATERIALS FOR AGRICULTURE AND NON-STRATEGIC  
FOOD AND AGRICULTURAL COMMODITIES. WAIVERS NOT POSSIBLE  
FOR TRADE OR SHIPPING TO NVN, OR FOR OTHER ITEMS TO CUBA,  
OR IF EGYPTIAN SHIPS CARRY NON-STRATEGIC COMMODITIES  
OF THIRD COUNTRIES TO CUBA. WE HAVE NO RECORD OF EGYPTIAN  
TRADE WITH NORTH VIETNAM OR EGYPTIAN SHIPS OR AIRCRAFT VISIT  
ING CUBA OR NORTH VIETNAM. MOST RECENT STATISTICS  
AVAILABLE HERE (CY 1972) DO SHOW EXPORTS TO CUBA, BUT  
SUCH EXPORTS ARE LIMITED TO ITEMS MAKING WAIVER POSSIBLE.  
OUR FIGURES FOR CY 1971 INDICATE EXPORTS OF FILAMENT LAMPS  
WHICH ARE AN IMPERMISSIBLE COMMODITY, HOWEVER OUR FIGURES  
DO NOT INDICATE SUCH TRADE HAS CONTINUED.

3. IN ORDER TO AVOID POSSIBLE CONGRESSIONAL DIFFICULTIES  
WITH CONTEMPLATED PL 480 SALE IN FY 1974 AND POSSIBLE  
FUTURE PROGRAMS, WE WANT TO ENSURE THAT PRESIDENTIAL  
WAIVER UNDER SECTION 103(D)(3) STANDS ON FIRMEST POSSIBLE  
LEGAL AND FACTUAL FOOTING. AT SAME TIME, WE WANT TO MAKE  
SURE EGYPTIANS AWARE OF OUR LEGISLATIVE RESTRICTIONS IN  
ORDER TO AVOID INADVERTENT ACTION WHICH WOULD REQUIRE US  
TO TERMINATE ASSISTANCE.

4. FOR FOREGOING REASONS, UNLESS YOU PERCEIVE SERIOUS  
OBJECTIONS, EMBASSY REQUESTED TO MAKE APPROPRIATE APPROACH  
TO GOE ALONG FOLLOWING LINES:

A. AS GOE KNOWS, USG HAS NOT, IN CONNECTION WITH CONSIDER-  
ATION OF VARIOUS ASSISTANCE PROGRAMS WE HAVE DISCUSSED,  
ATTEMPTED IN ANY WAY TO INTERFERE WITH GOE RELATIONS WITH  
THIRD COUNTRIES. WE INTEND TO CONTINUE TO ADHERE STRICTLY  
TO THIS POLICY.

B. AT SAME TIME, WE BELIEVE IT IMPORTANT THAT GOE BE  
AWARE THAT THE CONGRESS, IN PROVIDING THE LEGISLATIVE  
AUTHORITY FOR OUR ASSISTANCE PROGRAMS, HAS ESTABLISHED  
CERTAIN RESTRICTIONS REGARDING ASSISTANCE TO COUNTRIES  
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WHICH MAINTAIN TRADE RELATIONS WITH CERTAIN COUNTRIES. IN  
PARTICULAR, WE ARE LEGALLY UNABLE TO PROVIDE OR CONTINUE  
ASSISTANCE TO COUNTRIES TRADING WITH OR PERMITTING THEIR  
VESSELS OR AIRCRAFT TO CALL IN CUBA OR NORTH VIETNAM. WE  
ARE ABLE TO WAIVE THE RESTRICTIONS WITH RESPECT TO TRADE  
WITH CUBA (NOT WITH NORTH VIETNAM), BUT ONLY IF THAT TRADE  
IS LIMITED TO MEDICAL SUPPLIES, NON-STRATEGIC RAW MATER-  
IALS FOR AGRICULTURE AND NON-STRATEGIC FOOD AND AGRICULTUR-

AL COMMODITIES.

C. SO FAR AS WE ARE AWARE, ASSISTANCE TO GOE WOULD NOT BE AFFECTED BY THESE PROHIBITIONS EXCEPT FOR GOE SALES OF COMMODITIES TO CUBA, WHICH, SO FAR AS WE KNOW, ARE LIMITED TO THE CATEGORIES REFERRED TO ABOVE, THUS MAKING A WAIVER POSSIBLE. WE WOULD APPRECIATE CONFIRMATION THAT FOREGOING UNDERSTANDING ACCURATELY REFLECTS GOE POLICY.

D. WE HOPE GOE WILL UNDERSTAND THAT THIS INQUIRY IS MOTIVATED BY OUR DESIRE TO PUT ANY PL 480 SALES ON FIRMEST POSSIBLE LEGAL FOUNDATION TO MINIMIZE POSSIBILITY OF ANY CONGRESSIONAL DIFFICULTIES WHICH MIGHT PREJUDICE SUCCESS OF OUR REQUEST FOR FUNDS FOR FY-75. THERE IS CONSIDERABLE GOOD WILL IN THE CONGRESS TOWARD THE GOE AND OUR NEW RELATIONSHIP, AND WE WANT TO TAKE EVERY PRECAUTION TO AVOID THE POSSIBILITY THAT SITUATION MIGHT ARISE WHICH COULD UNNECESSARILY JEOPARDIZE THAT FAVORABLE ATTITUDE.

5. IF EMBASSY HAS OR CAN DISCREETLY OBTAIN ANY ACTUAL DATA ON TRADE, IF ANY, WITH CUBA OR NORTH VIETNAM FOR CY 1973 AND 1974, DEPT. NEEDS IT ASAP. KISSINGER

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## Message Attributes

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**To:** CAIRO  
**Type:** TE  
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